

REMARKS

Claims 1-14 remain pending in the application. Reconsideration is respectfully requested in light of the following remarks.

Section 103(a) Rejections:

The Examiner rejected claims 1, 2 and 4-7 under 35 U.S.C. § 103(a) as being unpatentable over Chen (U.S. Patent 6,822,877) in view of Ho (U.S. Patent 5,947,571), claims 3 and 8-14 as being unpatentable over Chen in view of Ho, and further in view of Doun et al. (U.S. patent 5,929,376) (hereinafter “Doun”). Applicant respectfully traverses these rejections for at least the following reasons.

Regarding claim 1, contrary to the Examiner’s assertion, Chen in view of Ho does not teach or suggest *the frame includes a plurality of tabs arranged around the opening, wherein the tabs on one side of the opening are staggered with respect to the tabs on the other side of the opening; and a shield bracket, the shield bracket configured for coupling to a peripheral card mountable in the slot, wherein the shield bracket is slidable between a retaining portion of each of the plurality of tabs and a surface of the frame to cover the opening, and wherein, when covering the opening, the shield bracket is retained by the plurality of tabs; wherein the frame and the shield bracket are made of a flexible electrically conductive material.*

First, the Examiner submits that Chen teaches a frame (10) including a plurality of tabs (18) and an additional tab (c-shaped tab), arranged around the opening (12). Applicant notes that the Examiner is equating Chen’s EMC shield 10 to the frame of Applicant’s claim. The Examiner has not identified the “c-shaped tab” in any of the figures or in the text of the reference, and Applicant does not recognize anything in the figures or text that could be described this way. Applicant also notes that the Examiner has ignored the specific limitation “wherein the tabs on one side of the opening are staggered with respect to the tabs on the other side of the opening” in her remarks

regarding the teachings of Chen. Applicant asserts that the tabs 18 on one side of an opening 12 are not staggered with respect to other tabs 18 on the other side of an opening 12, much less with respect to an additional tab that Applicant cannot identify based on the Examiner's remarks. In later remarks, the Examiner submits that Ho teaches a plurality of tabs (35) formed around an opening (near groove 34) of frame 3 and that the tabs (35) on one side of the opening are staggered with respect to tabs on the other side of the opening. **This is completely unsupported in the cited art.** Instead, FIG. 2 clearly illustrates that the tabs (35) on one side are aligned with the tabs (35) on the other side of the opening, and nothing in the reference indicates otherwise.

The Examiner further submits that Chen teaches a shield bracket (60), the shield bracket (60) configured for coupling to a peripheral devices (column 1, lines 16-20) mountable in the slot (42). However, element 60 of Chen is not a shield bracket configured for coupling to a peripheral device, as the Examiner suggests. Instead it is a cover plate 60 that is placed over an EMC shield 10 and is attached to the rear panel 40. The Examiner's citation in column 1 describes only that electromagnetic radiation will leak out through the expansion slots that allow peripheral devices to be added to the system. It does not teach or suggest anything about coupling cover plates 60 or EMC shield 10 to a peripheral card mounted in a slot, as required by claim 1, nor does any other passage in Chen teach or suggest these limitations. Therefore, cover plates 60 cannot be considered equivalent to the shield bracket of Applicant's claims.

The Examiner submits that Chen teaches that the shield bracket (60) is slidable between a retaining portion (curved portion) of the tab (c-shaped tab) and a surface of the frame (10) to cover the opening (12), and wherein, when covering the opening (12), the shield bracket (60) is retained by the additional tab (c-shaped tab). Applicant again submits that the Examiner has not identified this c-shaped tab, nor is Applicant able to identify it based on the Examiner's description. The Examiner later admits that Chen is silent as to the bracket (60) being slidable between an additional retaining portion (curbed portion) of a tab (c-shaped tab) and specifically a peripheral card slot and relies on Ho to teach these limitations. However, the tabs of Ho are not configured for this purpose.

Instead, they are used to guide the placement of cover plates 60, which, as discussed above, are not equivalent to the shield bracket of Applicant's claims.

Finally, the Examiner submits that Chen teaches that the frame (10) and bracket (60) are made of flexible electrically conductive material, noting that element 60 "is illustrated as a metal like member" and that column 1, lines 43-54 teach "a metal material." Applicant notes that the Examiner's remarks regarding element 60 are purely speculative as to the composition of the cover plate and that even if it were made of metal, it would not necessarily be made of a flexible material, as would be understood by one of ordinary skill in the art (e.g., a material that may conform to a space in which it is placed in order to fill gaps, as described in Applicant's specification). Similarly, the Examiner's citation in column 1 describes, "A typical computer enclosure EMC shield 10', as shown in FIG. 5, is integrally made by stamping a rectangular metal sheet." Applicant asserts that if the EMC shield is explicitly described as being made by stamping a metal sheet, (as opposed to bending it, for example), it would clearly not be considered to be "flexible" as this term is applied to Applicant's invention.

The Examiner submits that the skilled artisan would be motivated to include the additional tabs of Ho in the invention of Chen in order to provide a stronger means of securing the bracket of Chen to computer chassis (40) and Ho is only used to provide the added limitation of tabs, whereby a bracket is capable of sliding between the retaining portions (lateral surfaces) of the tabs. Applicant again asserts that neither the tabs of Chen nor the additional tabs of Ho teach or suggest the tabs on one side of the opening are staggered with respect to the tabs on the other side of the opening, as recited in claim 1. Therefore, even if the references were combined, they would not teach all of the limitations of Applicant's claim 1, as discussed above.

For at least the reasons above, the rejection of claim 1 is unsupported by the cited art and removal thereof is respectfully requested.

Independent claim 8 includes similar limitations to those discussed above regarding claim 1. Therefore the arguments presented apply with equal force to claim 8, as well.

Regarding claim 2, contrary to the Examiner's assertion, Chen in view of Ho does not teach or suggest *at least one spring finger inserted into a gap between the shield bracket and the frame*. The Examiner cites elements 16 and 22 (inserted between elements 60 and 10) of Chen as teaching this limitation. However, as discussed above, Chen's cover plates 60 are clearly not the shield bracket of Applicant's claims.

For at least the reasons above, the rejection of claim 2 is not supported by the cited art and removal thereof is respectfully requested.

Claim 9 includes similar limitations to those discussed above regarding claim 2. Therefore the arguments presented above apply with equal force to claim 9, as well.

Regarding claim 3, contrary to the Examiner's assertion, Chen in view of Ho and Doun fails to teach or suggest *the apparatus as recited in claim 2, wherein the spring finger is made of a flexible electrically conductive material*. The Examiner admits that Chen and Ho do not teach this limitation, and relies on Doun to teach it. Doun teaches a spring 54 that is a thin metal sheet that has been stamped and formed to have approximately the same length and width as the web 24 on which it is mounted. However, as discussed above regarding claim 2, Chen in view of Ho does not teach the shield bracket of Applicant's claims. Applicant asserts that the addition of the spring 54 of Doun does not overcome the deficiency of the other references in teaching the shield bracket of Applicant's claims.

For at least the reasons above, the rejection of claim 3 is not supported by the cited art and removal thereof is respectfully requested.

Claim 10 includes similar limitations to those discussed above regarding claim 3. Therefore the arguments presented above apply with equal force to claim 10, as well.

Regarding claim 4, contrary to the Examiner's assertion, Chen in view of Ho fails to teach or suggest *the apparatus as recited in claim 1, further comprising a fastener, wherein the fastener is coupled to the secure the shield bracket to the frame*. The Examiner submits that Chen teaches a fastener in column 1, lines 52-55, but is silent as to the fastener coupled to secure a shield bracket to a frame. Applicant notes that the Examiner's citation does not describe a fastener to secure a cover plate 60 (which the Examiner equates with the shield bracket of Applicant's claims) to EMC shield 10 (which the Examiner equates with the frame of Applicant's claims) and again assert that cover plate 60 is clearly not equivalent to the shield bracket of Applicant's claims. The Examiner submits that Ho teaches a screw hole (21) for a screw, to be coupled to secure a shield bracket (2) to a frame (3). Applicant notes that element 2 of Ho is not a shield bracket either, but is an interface card seat that may be attached to an interface card case 3 using a screw. Applicant asserts that the use of a screw in a completely different component of a computer chassis cannot be said to suggest the limitations recited in claim 4.

For at least the reasons above, the rejection of claim 4 is not supported by the cited art and removal thereof is respectfully requested.

Claim 11 includes similar limitations to those discussed above regarding claim 4. Therefore the arguments presented above apply with equal force to claim 11, as well.

Regarding claims 6 and 7, contrary to the Examiner's assertion, Chen in view of Ho does not teach or suggest *wherein the electrically conductive material includes copper* (as in claim 6) or *wherein the electrically conductive material includes beryllium* (as in claim 7). The Examiner submits that the cited references teach an electrically conductive material, but admits that the cited references are silent as to the material specifically including copper or beryllium. The Examiner states that it would have been

obvious to one having ordinary skill in the art at the time the invention was made to include copper or beryllium as they belong to the group of metals, which have a low impedance (in order to reflect E-field waves) and are known in the art as good conductors of electricity.

Applicant asserts that (contrary to the Examiner's assertion) while the cited references include descriptions of various components being made of electrically conductive materials, they do not describe them as being made of flexible electrically conductive materials, as required by Applicant's claim 1 (and thus, claims 6 and 7). There is nothing in the cited references that teaches or suggests that the particular material chosen should be a flexible material, or that such flexible materials should include copper or beryllium. In fact, only general references to "metal" and "stamped metal" are mentioned as being suitable for making any of the components in Chen or Ho. These references would not necessarily suggest a flexible material to those of ordinary skill in the art. Given the examples of stamped metal as a suitable material for the components, Applicant asserts that it would not be obvious to construct the shield bracket of a flexible material, such as copper or beryllium, rather than a stiffer metal.

For at least the reasons above, the rejection of claims 6 and 7 are not supported by the cited art and removal thereof is respectfully requested.

Claims 13 and 14 include similar limitations to those discussed above regarding claims 6 and 7. Therefore the arguments presented above apply with equal force to these claims, as well.

CONCLUSION

Applicant submits the application is in condition for allowance, and prompt notice to that effect is respectfully requested.

If any fees are due, the Commissioner is authorized to charge said fees to Meyertons, Hood, Kivlin, Kowert, & Goetzel, P.C. Deposit Account No. 501505/5681-74100/RCK.

Respectfully submitted,

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